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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/657,433	09/08/2003	James M. Bowe	3498-00100	9044
26753	7590	12/13/2005	EXAMINER	
ANDRUS, SCEALES, STARKE & SAWALL, LLP 100 EAST WISCONSIN AVENUE, SUITE 1100 MILWAUKEE, WI 53202			GAY, JENNIFER HAWKINS	
		ART UNIT		PAPER NUMBER
				3672
DATE MAILED: 12/13/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Interview Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/657,433	BOWE ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Jennifer H. Gay	3672	

All participants (applicant, applicant's representative, PTO personnel):

- (1) Jennifer H. Gay. (3) Joseph J Catanzaro #27,837.  
 (2) Steve Hertzburg #41,834. (4) \_\_\_\_\_.

Date of Interview: 06 December 2005.

Type: a) Telephonic b) Video Conference  
 c) Personal [copy given to: 1) applicant 2) applicant's representative]

Exhibit shown or demonstration conducted: d) Yes e) No.  
 If Yes, brief description: Attachment A.

Claim(s) discussed: 1,12 and 19.

Identification of prior art discussed: Caldwell (US 2,334,312).

Agreement with respect to the claims f) was reached. g) was not reached. h) N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.



**Jennifer H. Gay**  
Primary Examiner

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

\_\_\_\_\_  
Examiner's signature, if required

## Summary of Record of Interview Requirements

### **Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record**

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

### **Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews**

#### **Paragraph (b)**

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

#### **37 CFR §1.2 Business to be transacted in writing.**

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,  

(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

### **Examiner to Check for Accuracy**

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant's contacted the examiner regarding the purposed claim amendments presented in Attachment A. After reviewing the purposed amendments to claims 1, 12, and 19, the examiner agreed that the changes were necessary for the claims to correspond correctly to the specificaiton and drawings. The examiner further agreed that the changes overcame the Caldwell reference but noted that a further search would be required. After some discussion it was also agreed that the term "coaxially" was not required to overcome Caldwell. Applicant stated that in the formal response the term "coaxially" would be removed most likely removed from claims 1, 12, and 19 and this feature added in new claims. It was also noted that the purposed amendment to the specification would be sufficient to overcome the objection thereto. Applicant to file a formal response.

Attachment A

ATTORNEY DOCKET 308,984

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: BOWE, et al. Examiner: GAY, Jennifer H.

Serial No.: 10/657,433 Group Art Unit: 3672

Filed: September 8, 2003

Title: FEED TABLE PIVOT PIN CONSTRAINING DEVICE

Statement of Filing by Express Mail Under 37 C.F.R. §1.10  
This correspondence is being deposited with the United States Postal Service on December 8, 2005 in an envelope as  
"Express Mail Post Office to Addressee" Mailing Label Number \_\_\_\_\_ addressed to the  
Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

**AMENDMENT**

Date: December 8, 2005

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**PROPOSED AMENDMENT FOR DISCUSSION WITH**  
**EXAMINER JENNIFER HAWKINS GAY**

SIRS:

In response to the Office Action mailed September 8, 2005, please amend the above-identified application as follows:

**IN THE SPECIFICATION:**

**Proposed Amended Specification for discussion with Examiner Jennifer Hawkins Gay.**

Please amend the specification as follows:

Please replace the paragraph on page 4, lines 19-22 with the amended paragraph as follows:

Referring first to Fig. 1, there shown is a mobile track drill 10 that incorporates the features of the present invention. In the preferred embodiment of the invention, the mobile track drill 10 is a [[Hydra-Trac<sup>®</sup>]]HYDRA-TRAC hydraulic track drill available from Reedrill of Sherman, Texas.

**IN THE CLAIMS:**

**Proposed amended Claims 1-24 for discussion with Examiner Jennifer Hawkins Gay.**

1. (Currently Amended) A restraining arrangement for limiting the separation between a feed table having a pivot pin mounted thereto and a positioner block of a mobile track drill, the arrangement comprising:

a first constraint device coaxially secured to the positioner block; and  
a second constraint device secured to the feed table and configured to receive and retain the first constraint device in a coaxial relationship, such that the second first constraint device is coaxially rotatable relative to the first second constraint device.

Please note that the second constraint device (i.e., the female constraint devices 138) rotates relative to the first (male ears 128) constraint device. The first constraint device (male ears 128 on bushing 118) is fixedly positioned within the positioner. We propose to amend the independent claims to correct this rotational relationship between the first and second constraint devices.

2. (Original) The restraining arrangement of claim 1 wherein the first constraint device includes a pair of extended ears and the second constraint device includes a recessed groove sized to receive the pair of extended ears.

3. (Original) The restraining arrangement of claim 2 wherein the first constraint device is stationarily mounted to the positioner block and the second constraint device is stationarily mounted to the feed table.

4. (Original) The restraining arrangement of claim 2 wherein the second constraint device includes a pair of female constraint members mounted to the feed table, each female constraint member defining a portion of the recessed groove.

5. (Original) The restraining arrangement of claim 4 wherein the pair of female constraint members are spaced from each other to define a pair of insertion gaps, wherein the recessed groove is discontinuous along the pair of insertion gaps.

6. (Original) The restraining arrangement of claim 5 wherein the length of each insertion gap is at least as long as the length of each of the extended ears formed on the first constraint device such that the extended ears can pass through the pair of insertion gaps.

7. (Original) The restraining arrangement of claim 5 further comprising a pair of retainer caps mountable to the pair of female constraint members, wherein each retainer cap is configured to extend across one of the insertion gaps between the female constraint members.

8. (Original) The restraining arrangement of claim 7 wherein each retainer cap includes a recessed groove such that when the retainer caps are mounted to the female constraint members, the recessed groove of the second constraint device is continuous.

9. (Original) The restraining arrangement of claim 2 wherein the first constraint device is a bushing received in the positioner block, the bushing having a central opening sized to receive the pivot pin of the feed table.

10. (Original) The restraining arrangement of claim 9 wherein the bushing member includes an upper rim and a cylindrical body, the cylindrical body being sized to receive the pivot pin and the upper rim including the pair of extended ears.

11. (Original) The restraining arrangement of claim 10 wherein the bushing is formed from steel.

12. (Currently Amended) A restraining arrangement for limiting the separation of a feed table having a pivot pin mounted thereto and a positioner block of a track drill, the arrangement comprising:

a male constraint member secured to the positioner block, the male constraint member including a pair of extended ears; and

a pair of female constraint members mounted to the feed table, each female constraint member including a recessed groove sized to receive the extended ears formed on the male constraint member such that the male female constraint member is in a coaxial relationship and coaxially rotatable relative to the female male constraint member,

wherein the interaction between the pair of female constraint members and the male constraint member prevents movement of the feed table away from the positioner block.

13. (Original) The restraining arrangement of claim 12 wherein the pair of female restraint members are spaced from each other to define a pair of insertion gaps.

14. (Original) The restraining arrangement of claim 13 wherein each of the insertion gaps have a length at least as great as the length of the extended ears formed on the male constraint member such that the male constraint member can be inserted into the female constraint members.

15. (Original) The restraining arrangement of claim 14 wherein the recessed groove formed by the pair of female constraint members is circular and the insertion gaps are diametrically opposite each other.

16. (Original) The restraining arrangement of claim 14 further comprising a pair of retainer caps each mountable between the pair of female constraint members such that each of the retainer caps extend across one of the insertion gaps.

17. (Original) The restraining arrangement of claim 16 wherein each of the retainer caps includes a recessed groove such that when the retainer caps are mounted to the female constraint members, the recessed groove is continuous.

18. (Original) The restraining arrangement of claim 12 wherein the male constraint member is a bushing received within the positioner block, the bushing having an upper rim and a cylindrical body, the cylindrical body being sized to receive the pivot pin and the upper rim including the pair of extended ears.

19. (Currently Amended) A method of limiting the separation of a feed table having a pivot pin and a positioner block of a track drill, the method comprising the steps of:

mounting a male constraint member coaxially to the positioner block of the track drill, the male constraint member including at least a pair of extended ears;

mounting a pair of female constraint members to the feed table, each female constraint member including a recessed groove;

inserting the male constraint member into the female constraint member such that the extended ears of the male constraint member are received within the recessed grooves of the female constraint members, such that said female constraint member is coaxially rotatable relative to said male constraint member; and

preventing the separation of the male constraint member from the female constraint member.

20. (Original) The method of claim 19 wherein the pair of female constraint members are separated from each other by an insertion gap, wherein each insertion gap has a length at least as great as the length of the pair of ears formed on the male constraint member such that the ears of the male constraint member can pass through the insertion gap.

21. (Original) The method of claim 20 further comprising the step of attaching a pair of retainer caps to the pair of female constraint members after the male constraint member is received within the pair of female constraint members, wherein the retainer caps prevent separation of the male constraint member from the female constraint members.

22. (Original) The method of claim 21 wherein each of the retainer caps includes a recessed groove sized to receive the extended ears formed on the male constraint member.

23. (Original) The method of claim 19 wherein the male constraint member is a bushing having an upper rim and a cylindrical body, the cylindrical body being sized to receive the pivot pin and the upper rim including the pair of extended ears.

24. (New) The restraining arrangement of claim 1 wherein said second constraint device circumscribes at least a portion of said pivot pin.